

DMP
10/21/13

UNITED STATES DISTRICT COURT

for the

Southern District of Ohio

In the Matter of the Search of)
(Briefly describe the property to be searched)
or identify the person by name and address)

USPS COD parcel no. 9415310200882930978531)
addressed to Steve Mark, PO Box 469, Bainbridge,)
Ohio 45612)

Case No.

2:13-mj-564

APPLICATION FOR A SEARCH WARRANT

I, a federal law enforcement officer or an attorney for the government, request a search warrant and state under penalty of perjury that I have reason to believe that on the following person or property (identify the person or describe the property to be searched and give its location):

USPS COD parcel no. 9415310200882930978531 addressed to Steve Mark, PO Box 469, Bainbridge, Ohio 45612

located in the Southern District of Ohio, there is now concealed (identify the person or describe the property to be seized):

A quantity of controlled dangerous substance of which is contraband.

The basis for the search under Fed. R. Crim. P. 41(c) is (check one or more):

- ☒ evidence of a crime;
☒ contraband, fruits of crime, or other items illegally possessed;
☐ property designed for use, intended for use, or used in committing a crime;
☐ a person to be arrested or a person who is unlawfully restrained.

The search is related to a violation of:

Code Section

Offense Description

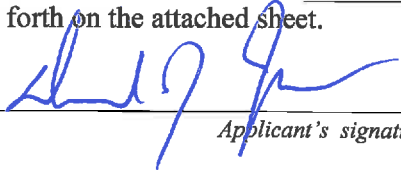
Title 21,
United States Code, Section
841(a)(1), Title 21, United States
Code, Section 843(b).

Distribution of Controlled Substances, and, Unlawful Use of Communication
Facility (U.S. Mail)

The application is based on these facts:

See Attachment A

- ☒ Continued on the attached sheet.
☐ Delayed notice _____ days (give exact ending date if more than 30 days: _____) is requested
under 18 U.S.C. § 3103a, the basis of which is set forth on the attached sheet.


Applicant's signature

Daniel J Johnson, USPIIS
Printed name and title

Sworn to before me and signed in my presence.

Date: 10/22/2013


Judge's signature

City and state: Columbus, Ohio

Terence P. Kemp, U.S. Magistrate Judge
Printed name and title

Attachment to Application and Affidavit for Search Warrant

I, Daniel J. Johnson, Postal Inspector, being duly sworn, depose and state as follows:

I have been a U.S. Postal Inspector for the past 5 years, enforcing federal mail and drug laws; currently assigned to Columbus, OH. I have received training at U.S. Postal Inspection Service National Training Seminars for mail related criminal investigations and have investigated cases with other federal, state, and local police units.

The U.S. Postal Inspection Service is aware that drug traffickers have been using Express Mail, a business-oriented service offered by the Post Office, to transport controlled substances and transfer funds, cash or otherwise, to further their enterprises. As a result of past investigations and prosecutions, the Postal Inspection Service has determined that a number of indicators can be used to identify packages containing contraband that have been entered into the Express Mail network. Inspectors routinely review shipment documents and Express Mail packages originating from or destined to drug source areas, to identify instances where there is a possibility of drug trafficking.

The U.S. Postal Inspection Service is investigating multiple Collect On Delivery (COD) parcels going to Steve Mark, PO Box 469, Bainbridge, Ohio 45612. On October 18, 2013, Postal Inspectors intercepted COD parcel number 9415310200882930978531. Inspector Wilkins took possession of this parcel on October 18, 2013.

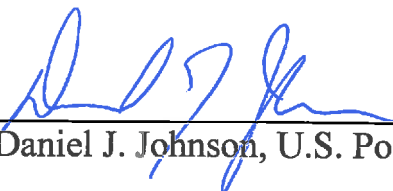
The subject parcel, no. 9415310200882930978531, is addressed to Steve Mark, PO Box 469, Bainbridge, Ohio 45612 with a return address of, Acodo, One Gateway Center, Ste 2600, Newark, NJ 07102-5323. Your affiant confirmed with electronic databases that Steve Mark is a resident of Bainbridge, Ohio and postal records indicate that he does receive mail at the listed PO Box. A computerized address check was also conducted for; One Gateway Center, Ste 2600, Newark, NJ 07102-5323. This is a legitimate address in Newark, New Jersey, however, Acodo, could not be associated with this address. Your affiant identified a Regus office suite at this address, these suites are often rented to businesses as remote offices to establish a physical address and conduct meetings. The parcel was not mailed from New Jersey as the return address indicates. Postal databases show that it was mailed from Los Angeles, California.

Relevant to this affidavit for the subject parcel, on October 17 2013, Inspectors received a call Beverly Police. They were conducting an investigation into the overdose of a 14 year old male. Their investigation into the source of the narcotics led them to suspect Mary Glass of Beverly, Ohio had obtained narcotics through the U.S Mail. Postal records indicated that Glass had a COD parcel available for pick up from the same ACODO address as the subject parcel. Inspectors seized this parcel.


As mentioned in the paragraph above, on October 18, 2013 Postal Inspectors seized and searched a COD package with identical return sender information, as the subject parcel, ACODO, One Gateway Center Ste. 2600, Newark, NJ 07102-5323, addressed to Mary Glass in Beverly, Ohio. A federal search warrant was obtained for this parcel and resulted in the seizure of several packs of synthetic narcotics that are undergoing further forensic testing.

Postal records indicate that Mark has obtained several COD packages from, ACODO, One Gateway Center Ste. 2600, Newark, NJ 07102-5323, since August 30, 2013 totaling more than \$10,000, which led to the start of this investigation. Mark operates a produce stand in front of his residence.

Based on the facts set forth in this Affidavit, I believe there is probable cause to believe that controlled substances are being concealed in the parcel, and seek the issuance of a warrant to search the parcel for controlled substances to be seized.


Daniel J. Johnson, U.S. Postal Inspector

Sworn to before me, and subscribed in my presence, this 21st day of October 2013, at Columbus, Ohio.


Terence P. Kemp, U.S. Magistrate Judge